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9

10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA
12 * * *

13 UNITED STATES DISTRICT COURT
14 DISTRICT OF NEVADA
15 * * *

16 **UNITED STATES OF AMERICA,**)
17)
18 Plaintiff,)
19)
20 v.)
21)
22 **JONATHAN GARCIA,**)
23)
24)
25 Defendant.)
26)

CASE NO.: 2:19-CR-00174-APG-NJK-2

27 **STIPULATION AND ORDER TO CONTINUE SENTENCING HEARING**

28 IT IS HEREBY STIPULATED AND AGREED by and between OSVALDO E. FUMO,
ESQ. Counsel for Defendant JONATHAN GARCIA and KIMBERLY ANNE SOKOLICH,
Assistant United States Attorney, that the Sentencing Hearing currently scheduled for July 14,
2021, at 2:00 p.m., be vacated and reset on a date and time convenient to the court, but no earlier
than 30 days.

This Stipulation is entered into for the following reasons:

1. Counsel for defendant has spoken to defendant and he has no objection to the request
of continuance.

- 1 2. Defendant is in custody in Pahrump.
- 2 3. Counsel has spoken to AUSA Sokolich and she does not oppose to the continuance.
- 3 4. Defense Counsel and Counsel for Government is requesting additional time to go
- 4 over issues that needs to be resolved prior to sentencing.
- 5 5. Denial of this request for continuance could result in a miscarriage justice.
- 6 6. For all the above-stated reasons, the ends of justice would best be served by a
- 7 continuance of the Sentencing Hearing until a date and time convenient to the court.
- 8
- 9

10 This is the first request for continuance filed herein.

11 DATED: July 13, 2021

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13

14 /S/ Osvaldo E. Fumo, Esq.
15 OSVALDO E. FUMO, ESQ.
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17 LAS VEGAS, NEVADA 89101
18 ATTORNEY FOR THE DEFENDANT
19 JONATHAN GARCIA

20 /S/ Kimberly Anne Sokolich, Esq.
21 KIMBERLY ANNE SOKOLICH, ESQ.
22 ASSISTANT UNITED STATES ATTORNEY
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25 ATTORNEY FOR UNITED STATES OF
26 AMERICA

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16 **UNITED STATES OF AMERICA,**)
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25 **FINDINGS OF FACT**

26 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
27 Court finds:

28 This Stipulation is entered into for the following reasons:

1. Counsel for defendant has spoken to defendant and he has no objection to the request of continuance.
2. Defendant is in custody in Pahrump.
3. Counsel has spoken to AUSA Sokolich and she does not oppose to the continuance.

